

FREDERICK COUNTY PLANNING COMMISSION

January 8, 2020

TITLE: **FY-2020 Frederick County Installment Purchase Program (IPP) Applications**

FILE NUMBER: **N/A**

REQUEST: **A finding of consistency with the County Comprehensive Plan.**

PROJECT INFORMATION:

ADDRESS/LOCATION: multiple, see attached

TAX MAP/PARCEL:

COMP. PLAN:

ZONING:

PLANNING REGION:

WATER/SEWER:

APPLICANT/REPRESENTATIVES:

APPLICANT: multiple, see attached

OWNER:

ENGINEER:

ARCHITECT:

ATTORNEY:

STAFF: Anne Bradley, Land Preservation Admin.

RECOMMENDATION: Find consistent with the County Comprehensive Plan

ATTACHMENTS:

EXHIBIT 1- Maps

STAFF REPORT

ISSUE

The request is for a finding of consistency with the County Comprehensive Plan for IPP applications #20-01 to #20-19.

BACKGROUND

The Frederick County Installment Purchase Program (IPP) was created in 2002 to supplement local land preservation efforts and to provide an attractive alternative to existing land preservation programs. The IPP Program utilizes a dedicated revenue source, a portion of the local recordation tax collections, to make offers to landowners for permanent preservation easements. Since 2002, the County has permanently preserved 130 farms on 20,318 acres.

The County received 27 applications for the FY-2020 Installment Purchase Program (IPP) encompassing 2,786 acres of land. These 27 applications include 9 first time applicants to agricultural preservation programs. The Agricultural Preservation Advisory Board and County Executive reviewed all the applications and both accepted staff's recommendation due to limited funding to further review the top 19-ranked candidates totaling 2,314 acres.

File	Name	Location	Acres	Within a PPA?	Previously Reviewed by Planning Commission?
IPP#20-01	Shank Family Farm LLC	Milt Summers Rd	130	Yes	12-Jun-19
IPP#20-02	Marks Manor LLC	Buckeystown Pike	181	Yes	12-Jun-19
IPP#20-03	Vorac, Peter	Broad Run Rd	40	Yes	
IPP#20-04	Fry, Evelyn Revocable Trust	Fry Rd	131	No	12-Jun-19
IPP#20-05	Dotterer, Paul and Karen	Green Valley Rd	45	Yes	14-Nov-19
IPP#20-06	Adams, Christopher	Broad Run Rd	127	Yes	
IPP#20-07	Gerwig, Bradley and Lurine	Detour Rd	35	Yes	
IPP#20-08	Herndon, Emma Estate	Keymar Rd	204	Yes	
IPP#20-09	Copper Penny Farm Properties	Pleasant View Rd	181	Yes	
IPP#20-10	Waltz, Jeff and Jill	Hill Rd	132	Yes	
IPP#20-11	Lenhart, Timothy and Mary	Lenhart Rd	77	No	
IPP#20-12	Kashkett, Kenneth and Bethanne	Bartonsville Rd	97	No	14-Nov-18
IPP#20-13	McNair, Dallas	Grimes Rd	143	No	
IPP#20-14	Jolee Farms LLC	Lewistown Rd	167	No	
IPP#20-15	Baust, Bonnie	New Cut Rd	124	No	
IPP#20-16	Walsh, Robert	Brandenburg Hollow	98	No	
IPP#20-17	Burrier, Harold and Judith	Liberty Rd	149	No	
IPP#20-18	Burrall, Catherine	Fingerboard Rd	115	No	
IPP#20-19	Offutt, Joseph and Karen	Oak Hill Rd	140	No	14-Nov-18
		Total Acres	2,314		

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County Comprehensive Plan

All of the applications, with the exception of a portion of #20-05 (Dotterer), are designated Agricultural and/or Natural Resource in the Comprehensive Plan. A small portion of #20-05 (Dotterer) (approx. 1.5 acres) is designated as Rural Community in the Comprehensive Plan. One application, #20-01 Shank Family Farm LLC, is adjacent to a municipality. Please see explanations below discussing these applications in more detail.

Nine of the applications are located within a Priority Preservation Area (PPA). All of the applications, with the exception of approximately 1.5-acres of #19-04 (Dotterer), are zoned Agricultural and/or Resource Conservation.

#20-01- Shank Family Farm LLC – The Shank Family Farm application consists of approximately 130 acres on the north side of Milt Summers Road, south of the Town of Myersville. See page 6. The Town of Myersville Planning Commission voted to support the preservation of this property at their meeting on June 18, 2019. For this reason, staff believes an easement on this property would be consistent with the County Comprehensive Plan.

#20-05- Dotterer – The Dotterer application consists of approximately 44.5 acres on the east side of MD 75 (Green Valley Road). See page 8. The majority of the property is zoned Agricultural. The remaining approximately 1.5 acres is zoned Village Center (VC) and is developed with a residence and several out buildings. This small area is designated as Rural Community on the County Comprehensive Plan. These designations can be compatible with agricultural preservation and the landowner understands some uses allowed within the Village Center District will not be permitted under the IPP easement. The Dotterer application adjoins a block of continuous preserved farmland that totals 4,038 acres. For these reasons, staff believes an easement on this property would be consistent with the County Comprehensive Plan.

RECOMMENDATION

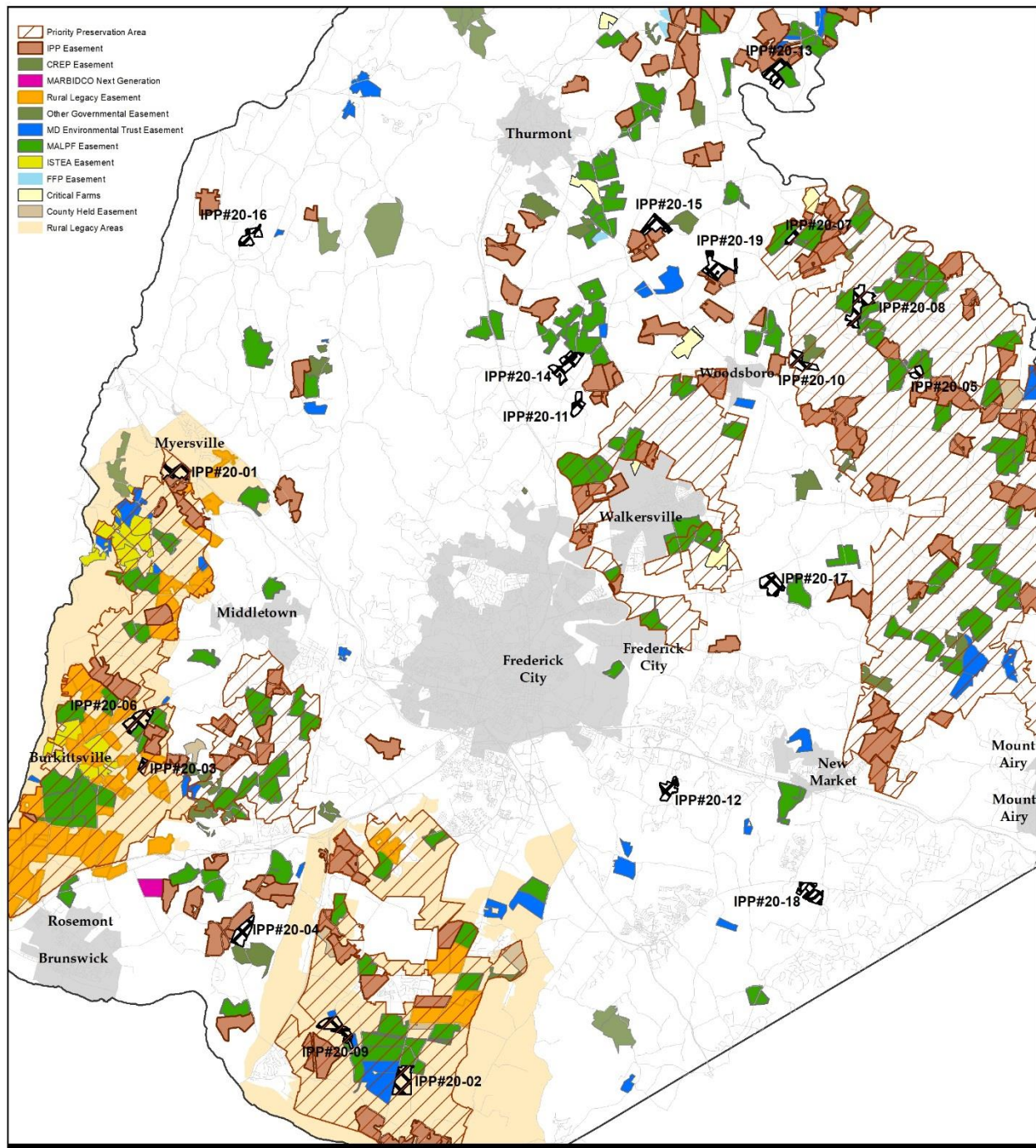
Staff recommends a finding of consistency with the County Comprehensive Plan on IPP applications #20-01 to #20-19.

PLANNING COMMISSION ACTION

MOTION TO FIND CONSISTENT

I move that the Planning Commission **FIND the FY 2020 Frederick County Installment Purchase Program (IPP) applications, #20-01 to #20-19, to be consistent with the County Comprehensive Plan**, as listed in the staff report based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.

Exhibit 1



FY 2020 Frederick County Installment Purchase Program (IPP) Applications Shown with Preserved Properties

Frederick County, Maryland



Planning & Permitting Division

December 10, 2019
Frederick County GIS

0 1 2 4 Miles

Projection: NAD 1983 State Plane Maryland FIPS 1900 Feet

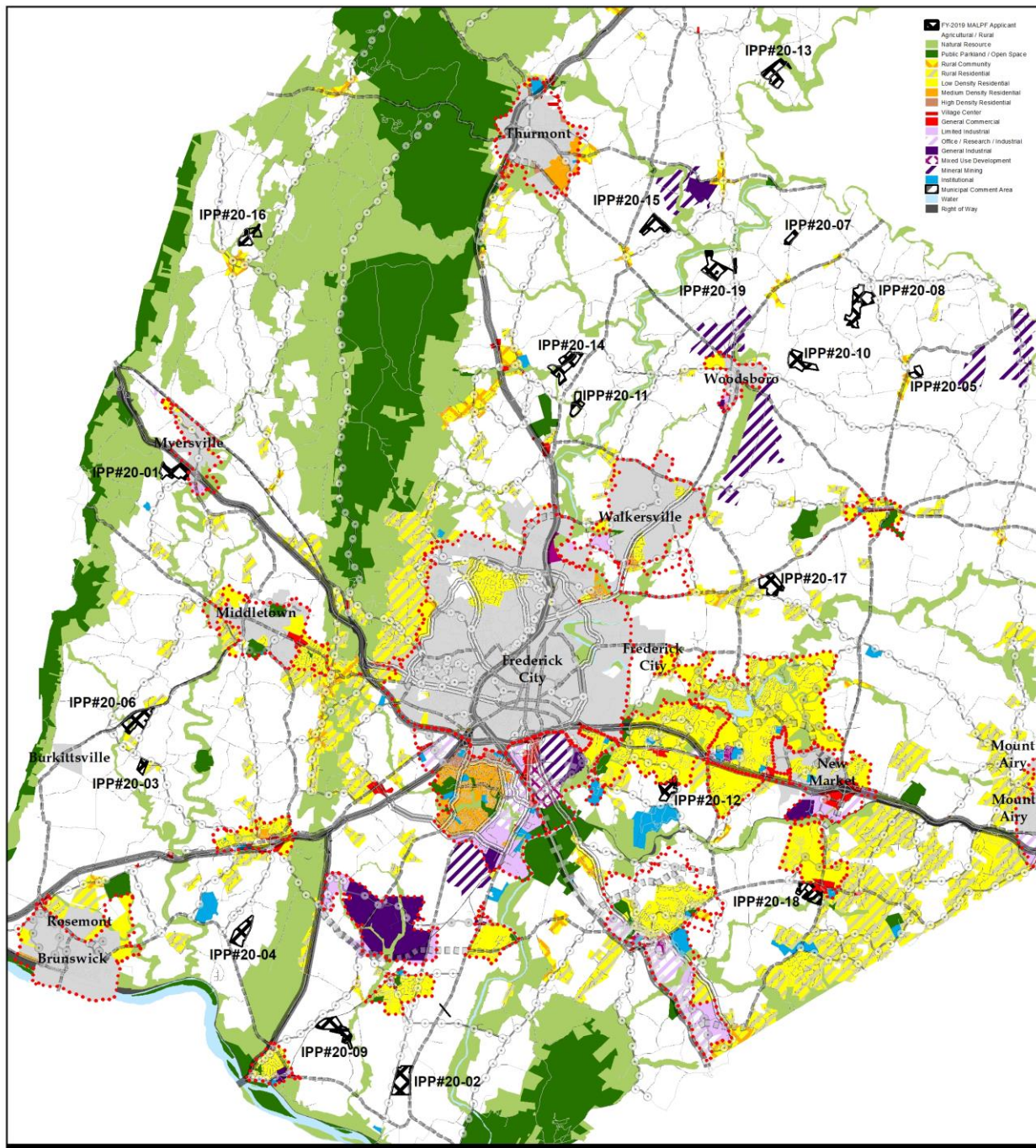
While efforts have been made to ensure the accuracy of this map, Frederick County accepts no liability or responsibility for errors, omissions, or positional inaccuracies in the content of this map. Reliance on this map is at the risk of the user. This map is for illustration purposes only and should not be used for surveying, engineering, or site-specific analysis.



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FY 2020 Frederick County Installment Purchase Program (IPP) Applications Shown with Frederick County Comprehensive Plan

Frederick County, Maryland



Planning & Permitting Division
December 06, 2019
Frederick County GIS

0 1 2 4 Miles

Projection: NAD 1983 State Plane Maryland FIPS 1900 Feet
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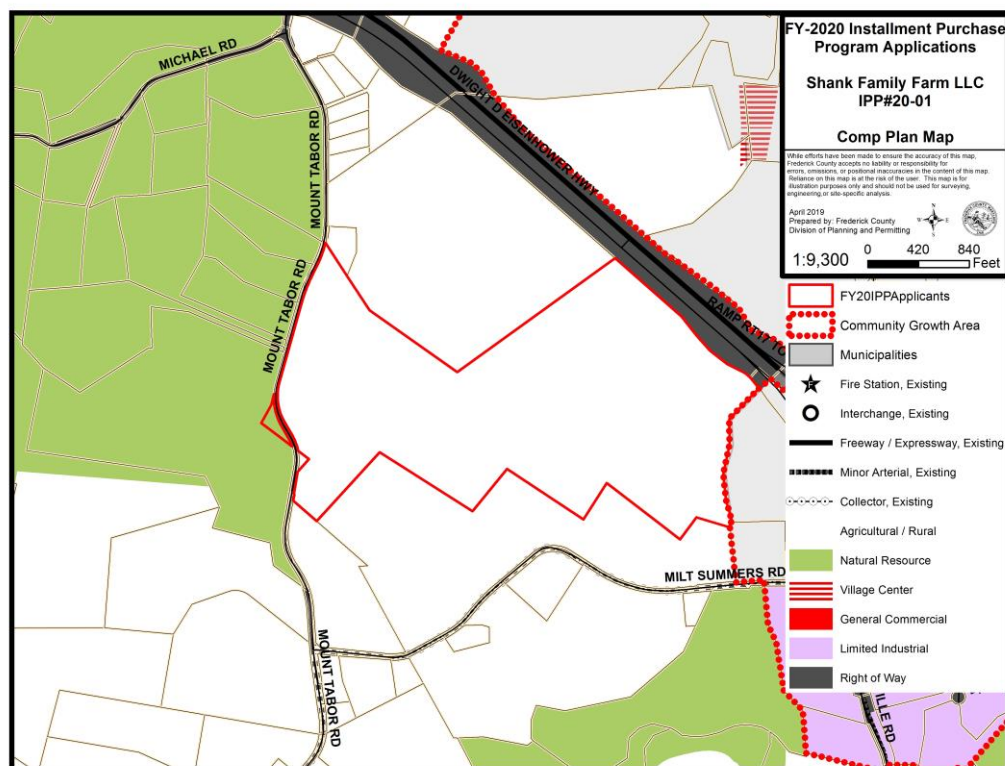


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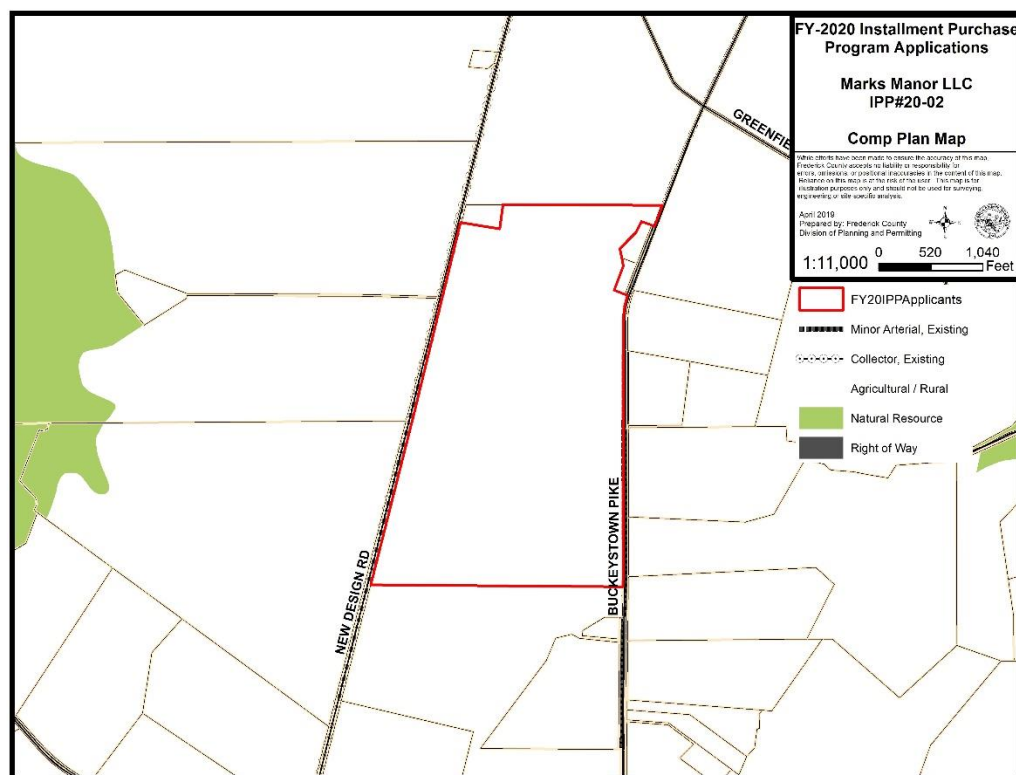
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20-01- Shank Family Farm, LLC - 130-acres on the north side of Milt Summers Rd, south of the Town of Myersville (Tax Map 45 Parcel 10)



20-02- Marks Manor, LLC- 180.63 acres located on the west side of Buckeystown Pike, south of Greenfield Road (Tax Map 109 Parcel 7)

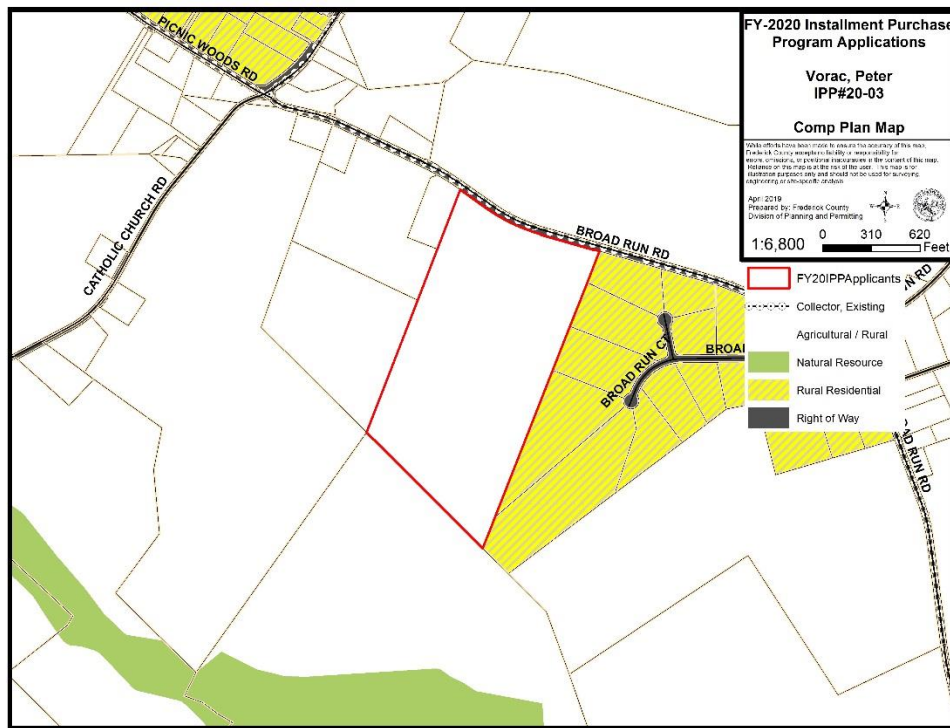


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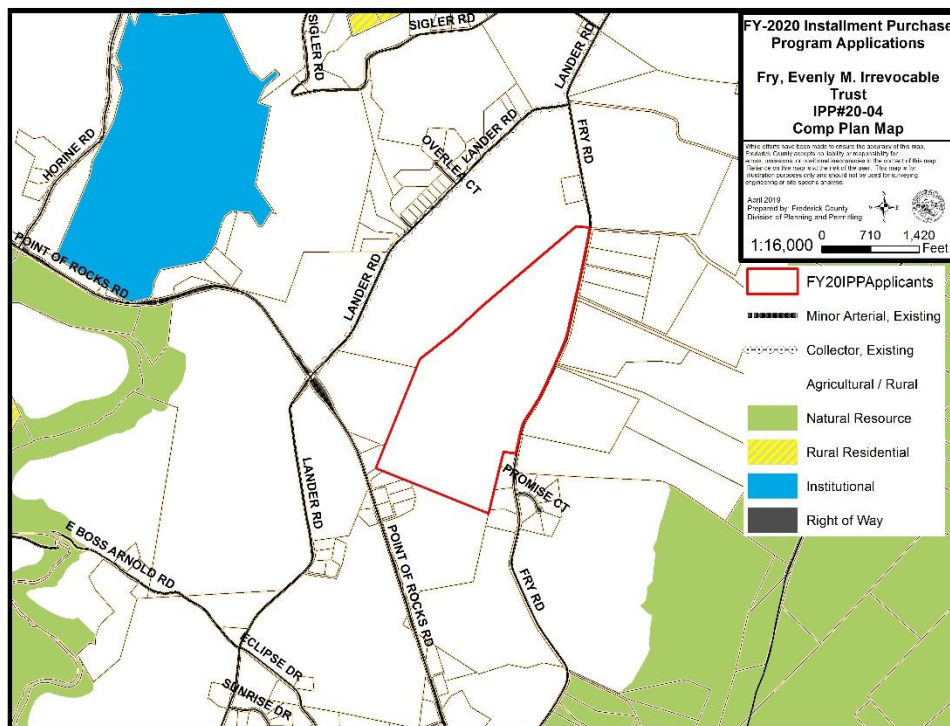
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20-03 – Peter Vorac – 40 acres on the south side of Broad Run Rd. (Tax Map 74 Parcel 213)



20-04- Evelyn Fry Revocable Trust - 131 acres on the west side of Fry Road, north of Promise Court (Tax Map 93 Parcel 48)

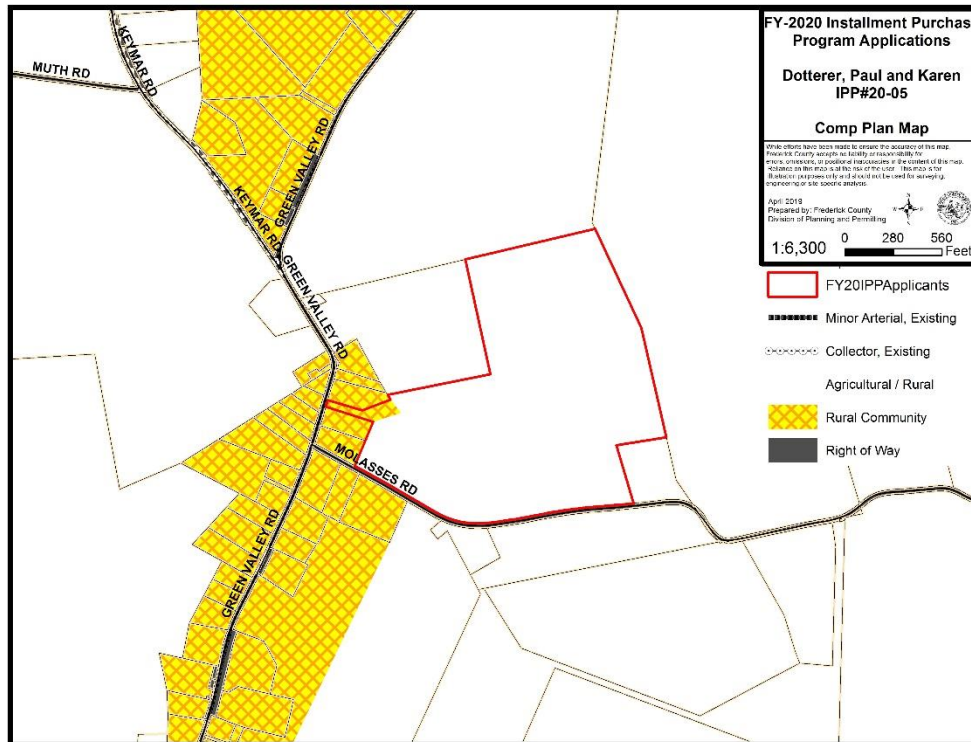


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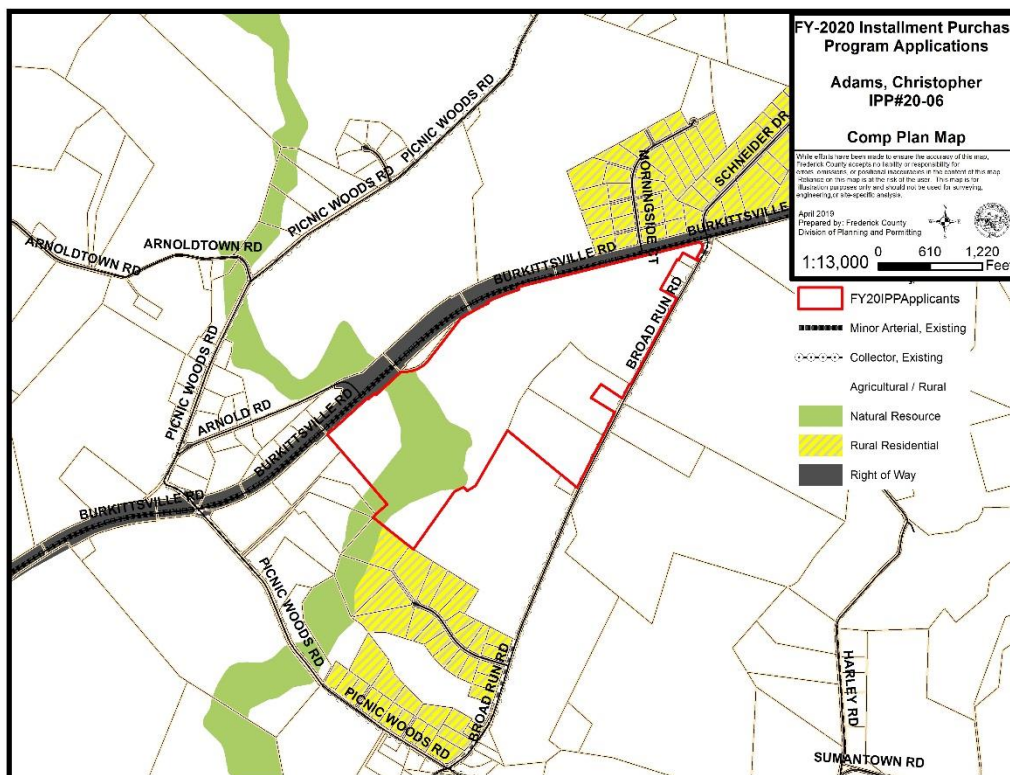
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20-05 – Paul & Karen Dotterer - 44.61 acres located on the east side of Green Valley Road, and the north side of Molasses Road (Tax Map 43 Parcel 29)



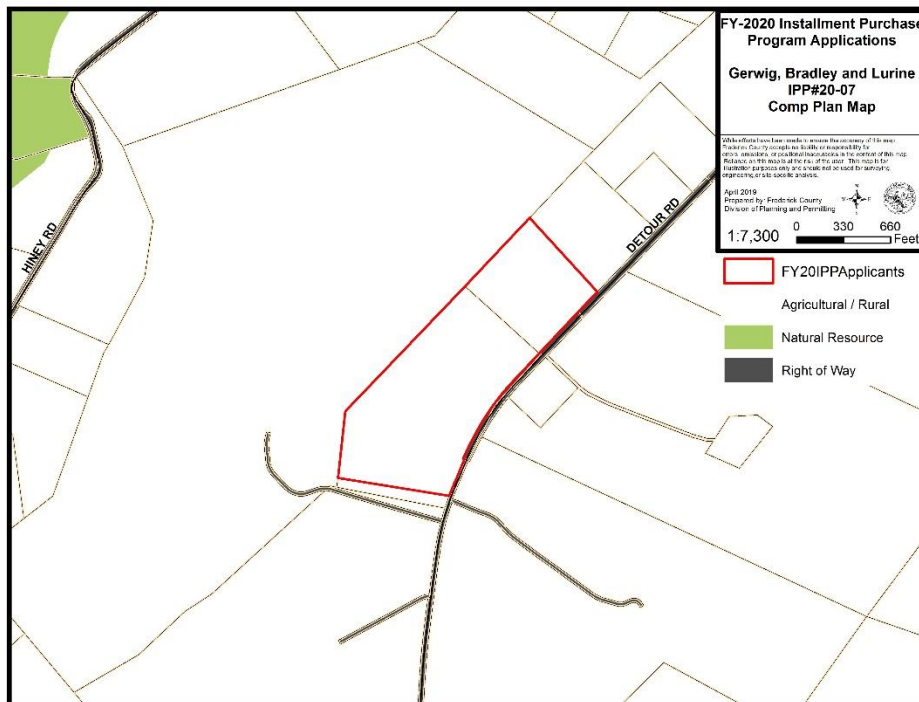
20-06 – Christopher Adams – 127 acres on the south side of Burkittsville Road, west of Broad Run Road (Tax Map 74 Parcels 6 and a portion of 237)



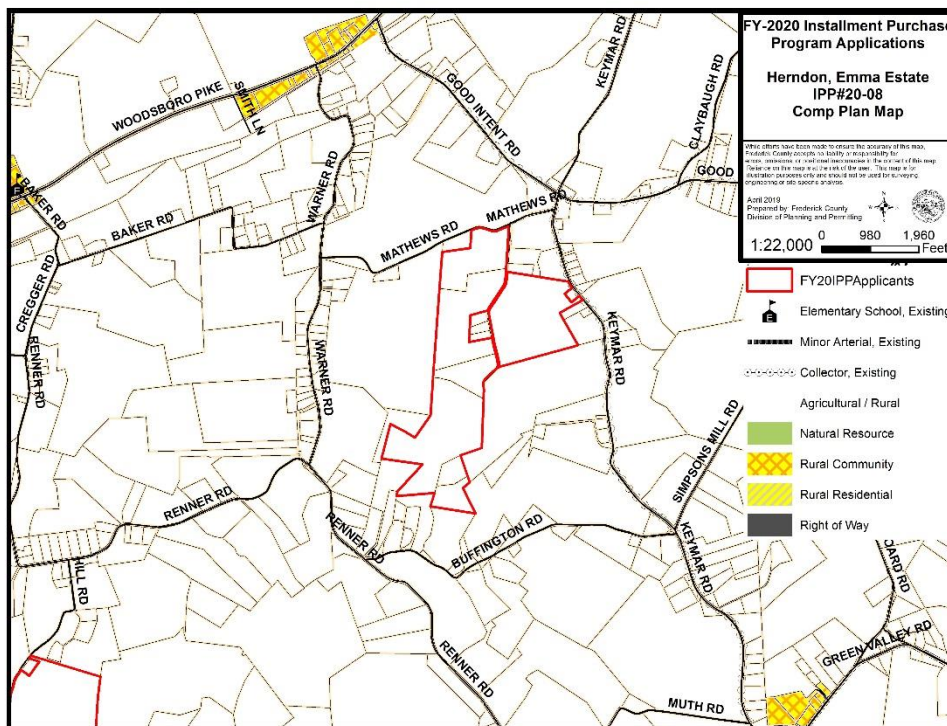
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20-07 – Bradley & Lurine Gerwig – 35 acres on the west side of Detour Road, south of Haughs Church Road (Tax Map 27 Parcel 50)



20-08 – Estate of Emma Herndon – 204 acres on the west side of Keymar Road, the east and west sides of Lookingbill Road, south of Mathews Road (Tax Map 34 Parcels 64, 192, 309 and Tax Map 35 Parcels 40, 41, 84, 187)

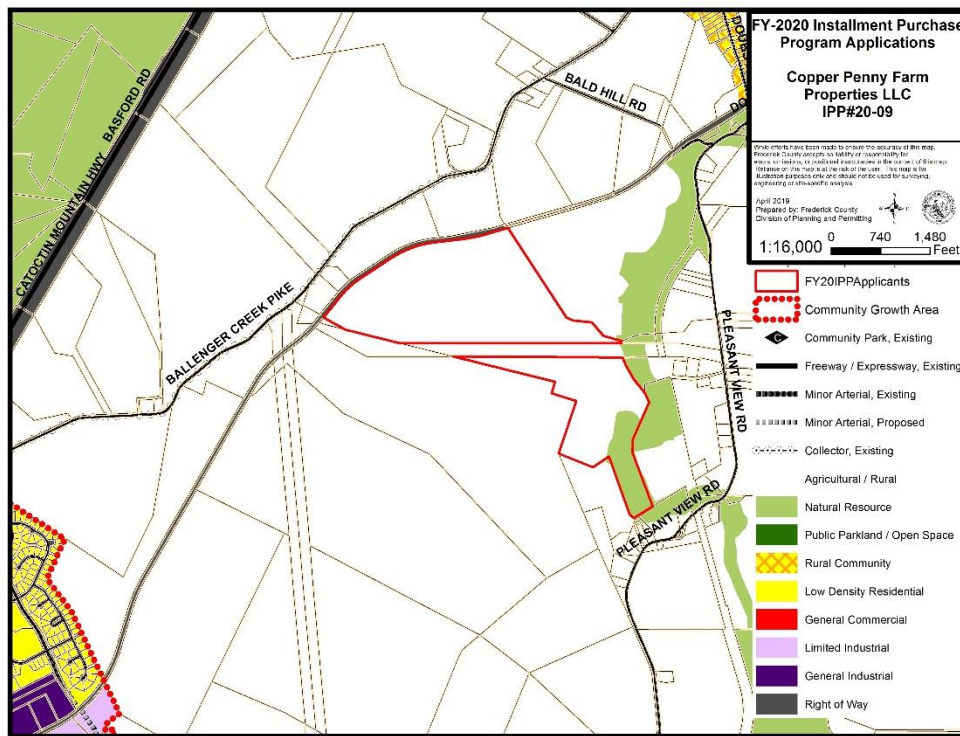


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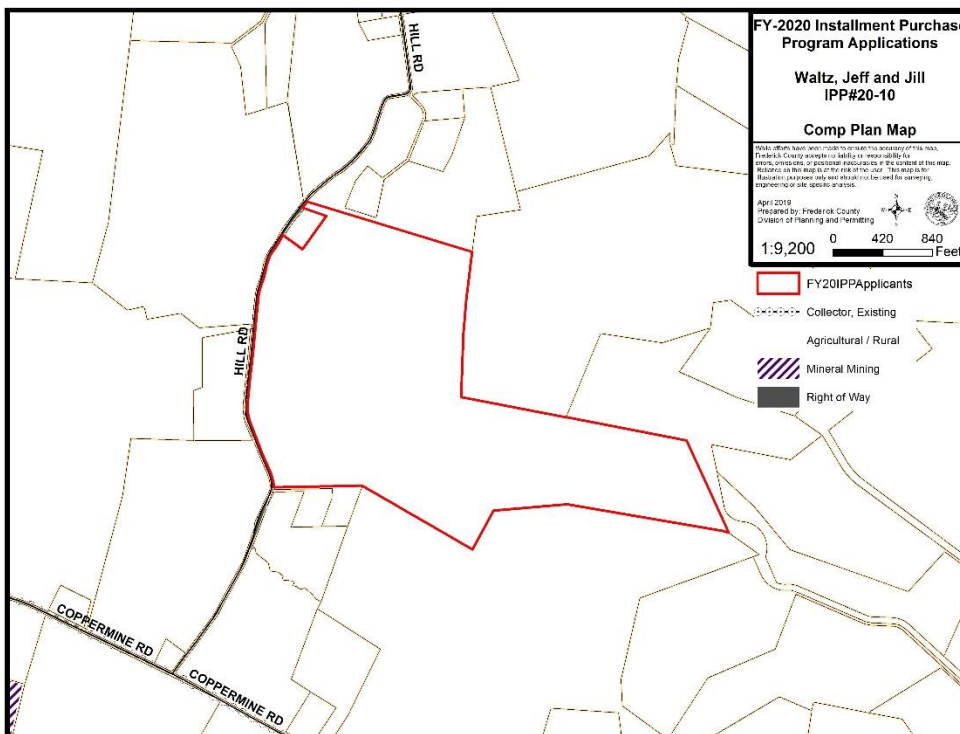
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20-09 – Copper Penny Farm Properties LLC – 181 acres on the west side of Pleasant View Road (Tax Map 103 Parcel 40)



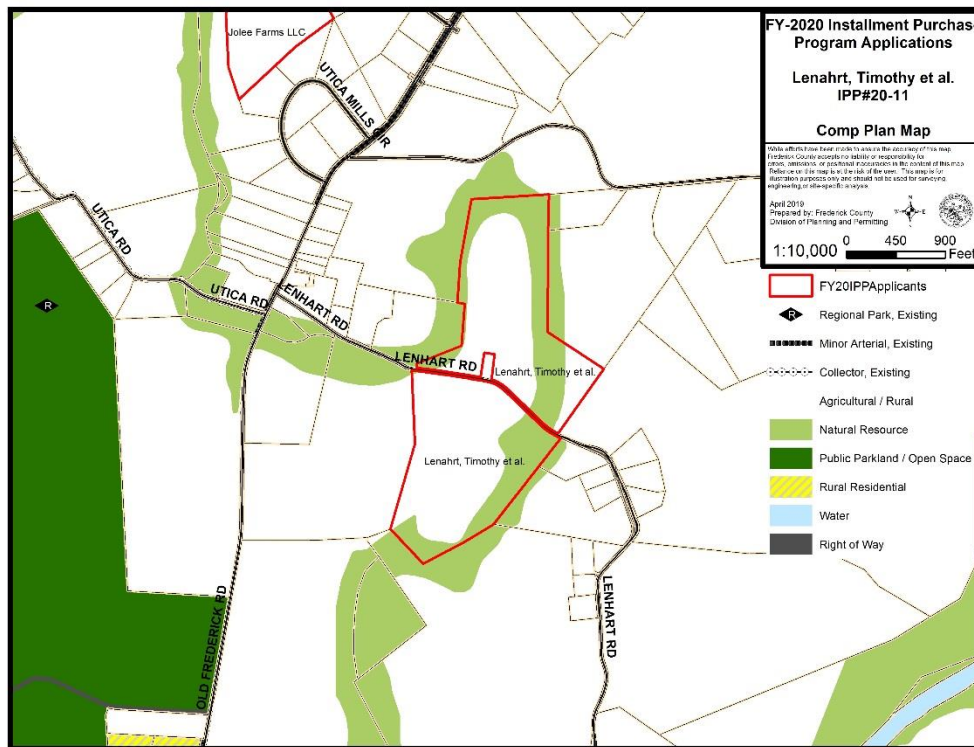
20-10 – Jeff and Jill Waltz – 132 acres on the east side of Hill Road (Tax Map 42 Parcel 12)



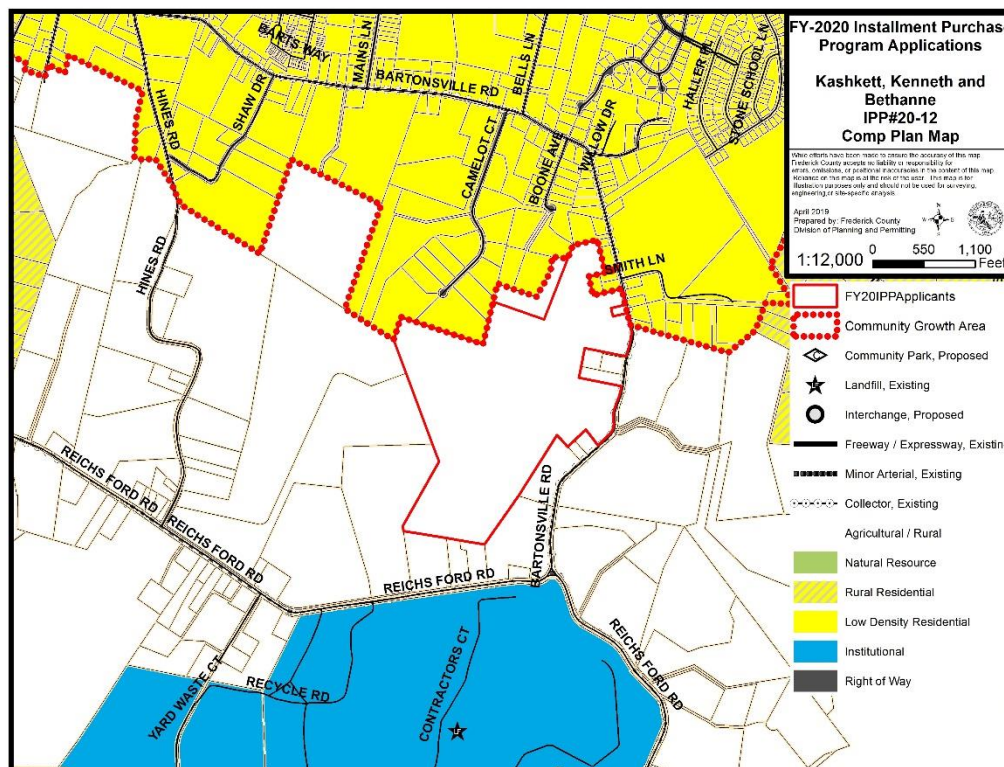
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20-11 – Timothy & Mary Lenhart – 77 acres on the north and south sides of Lenhart Road (Tax Map 40 Parcel 103)



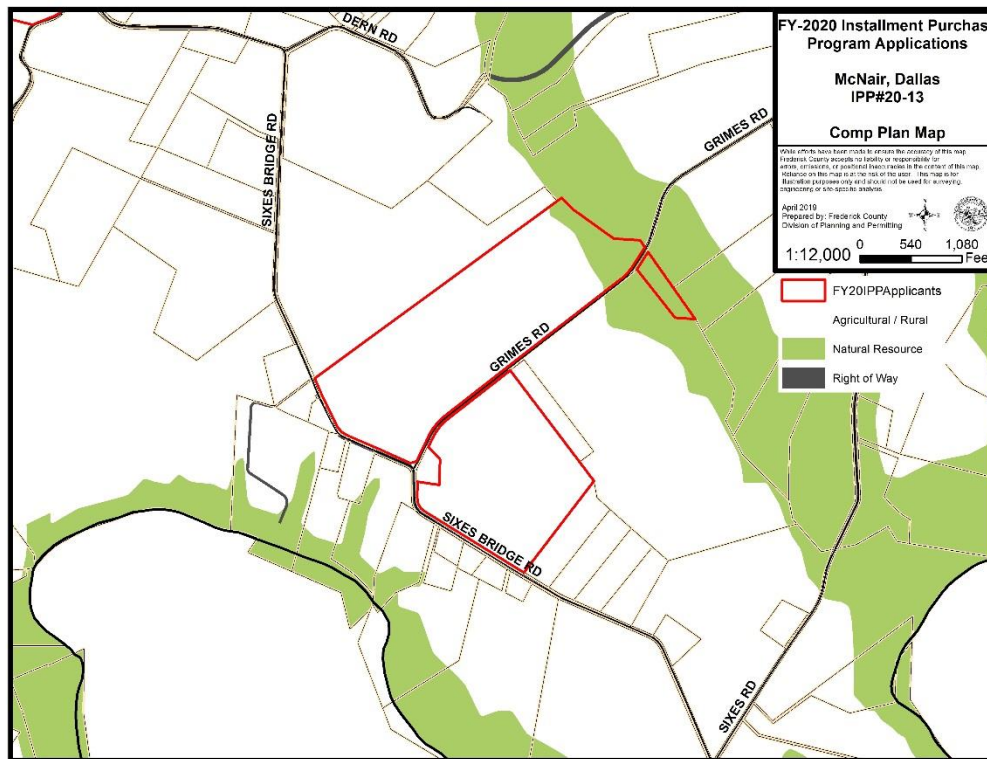
20-12 – Kenneth & Bethanne Kashkett- 97.44 acres located on the west side of Bartonsville Road, north of Reichs Ford Road (Tax Map 87 Parcel 10)



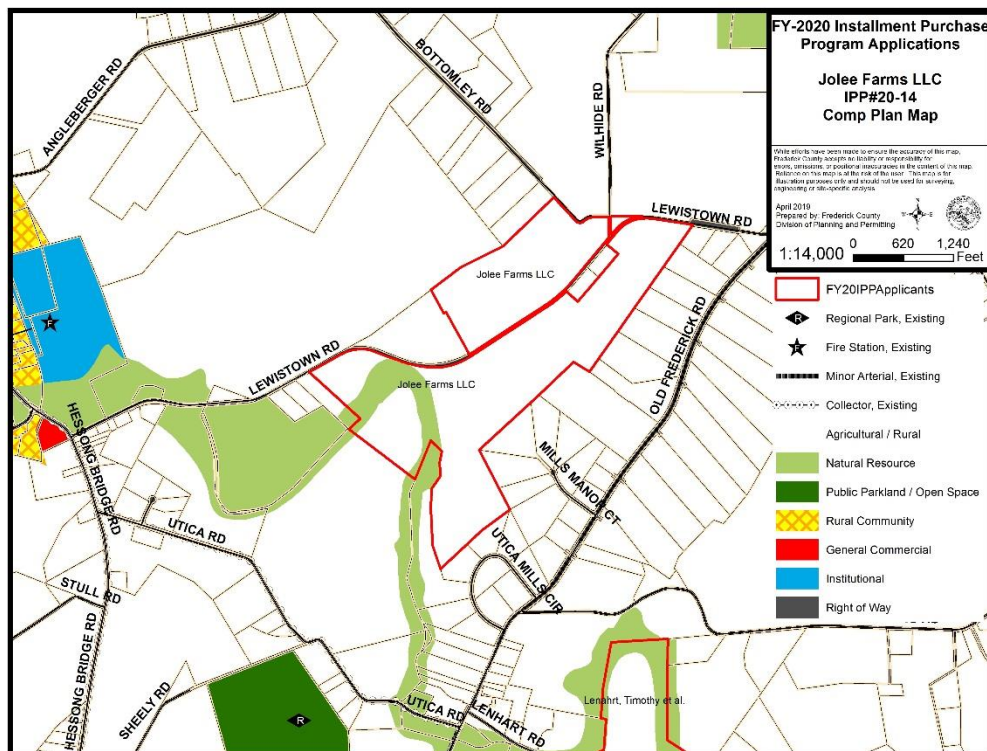
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20-13 – Dallas McNair – 143 acres on the north and south sides of Grimes Road, east of Sixes Bridge Road (Tax Map 21 Parcels 10, 64)



20-14 – Jolee Farms, LLC – 167 acres on the north and south sides of Lewistown Road, south of Bottomley Road (Tax Map 40 Parcels 330, 544)

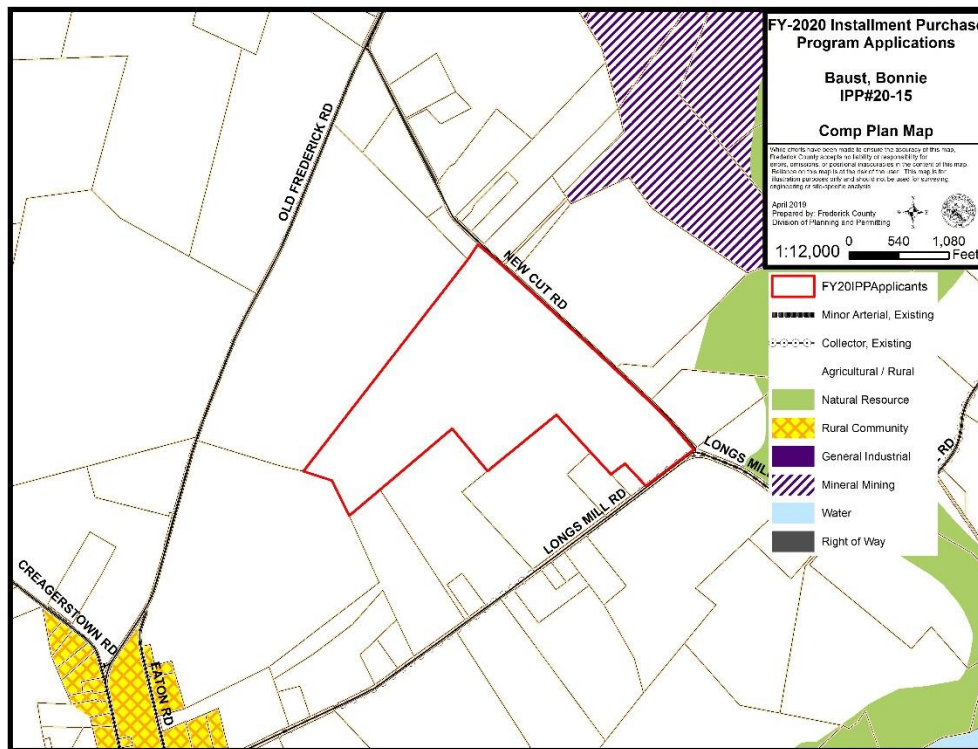


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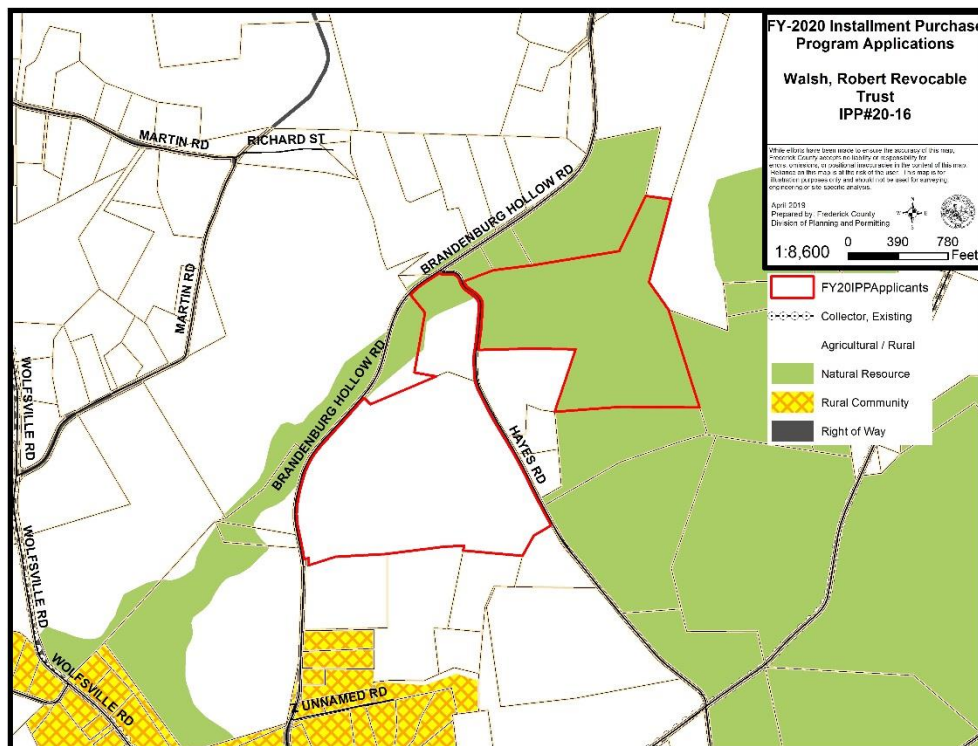
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20-15 – Bonnie Baust – 123.5 acres on the west side of New Cut Road, north of Longs Mill Road (Tax Map 26 Parcel 34)



20-16 – Robert Walsh – 97.5 acres on the east and west sides of Hayes Road, and the south side of Brandenburg Hollow Road (Tax Map 23 Parcels 16 and 51)

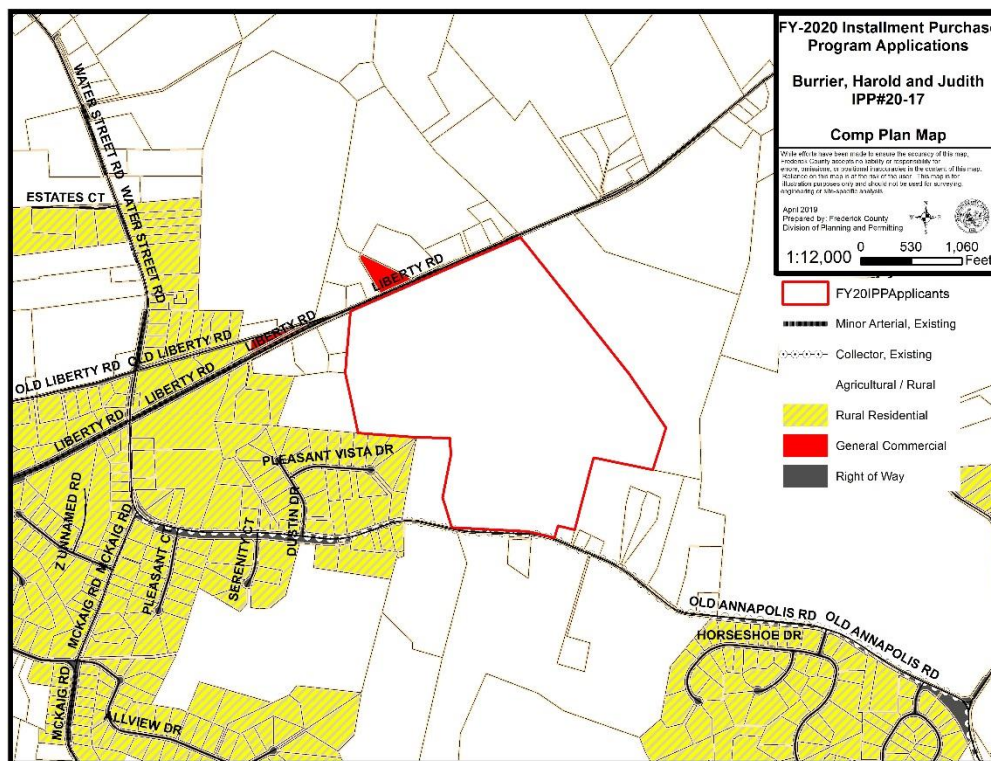


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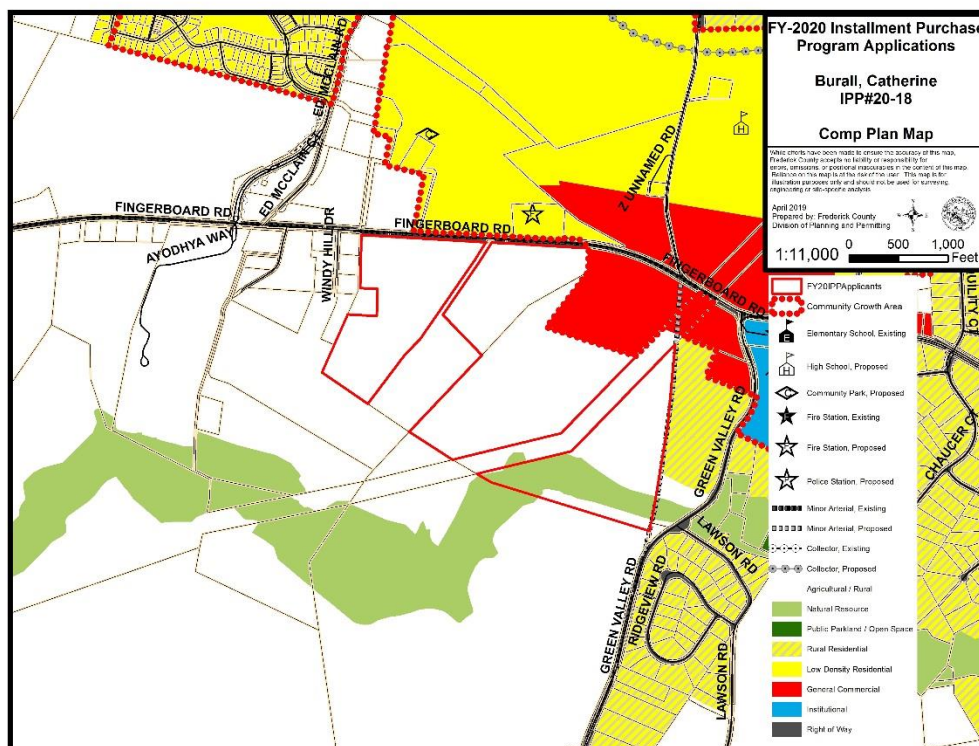
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20-17 – Harold & Judith Burrier – 148.5 acres on the south side of Liberty Road, east of Water Street Road (Tax Map 59 Parcel 77)



20-18 – Catherine Burall – 115 acres on the south side of Fingerboard Road, west of Green Valley Road (Tax Map 97 Parcels 274 and a portion of 3)



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20-19 – Joseph & Karen Offutt- 140 acres located on the north side of Oak Hill Road, and on the east and west sides of Legore Bridge Road (Tax Map 33 Parcel 30)

